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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

COMBINED DECLARATION, POWER OF ATTORNEY & PETITION

TYPE OF DECLARATION

- ☒ Utility
- ☐ Design
- ☐ Supplemental
- ☐ Divisional
- ☐ Continuation
- ☐ Continuation-in-part
- ☐ National Stage of the PCT

INVENTORSHIP AND SPECIFICATION IDENTIFICATION

My residence, post office address and citizenship are as stated below next to my name; I believe I am the original, first and sole inventor (if only one is listed below) or a joint inventor (if plural inventors are named below) of the invention entitled:

"RETRACTABLE STRAW FOR DRINKING CONTAINERS"

as described and claimed in the specification which

- ☐ is attached hereto.
- ☒ was filed on September 25, 2000
- ☒ as U.S. Serial Number. 09/669,245 ; or
- ☐ Express Mail No. ____ (as serial number not yet known); and
- ☐ was amended on _____.
- ☐ was described and claimed in PCT International Application No. PCT/ / filed on _____; and
- ☐ as amended under PCT Article 19 and/or 34 on _____.

REVIEW OF PAPERS AND DUTY OF CANDOR

I have reviewed and understand the contents of the attached specification including the drawing and claims as amended by any amendment referred to below; and

I acknowledge my duty to disclose information of which I am aware which is material to the examination of this application, in accordance with 37 CFR 1.56(a); and

- ☐ in compliance with this duty there is attached an information disclosure statement.

I hereby claim **foreign priority** benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign applications for patent applications for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

| | | | <u>Priority Claimed</u> | | |
|----------|-----------|------------------------|---|--------------------------|--------------------------|
| | | | <input type="checkbox"/> <input type="checkbox"/> | | <input type="checkbox"/> |
| (Number) | (Country) | (Day/Month/Year/Filed) | Yes | No | |
| | | | <input type="checkbox"/> | <input type="checkbox"/> | |
| (Number) | (Country) | (Day/Month/Year/Filed) | Yes | No | |

I hereby claim the benefit under Title 35, United States Code, § 120 of any **United States Application(s)** listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States Application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

| | | |
|--------------------------|---------------|--|
| (Application Serial No.) | (Filing Date) | (Status: Patented, Pending, Abandoned) |
|--------------------------|---------------|--|

DECLARATION

I declare that all statements made above of my own knowledge are true and all statements made on information and belief are believed to be true; and these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

POWER OF ATTORNEY

I hereby appoint the following patent attorneys and/or patent agent(s) with full power of appointment, substitution and revocation to prosecute this application, to make alterations and amendments thereto, to receive the patent, and to transact all business in the Patent Office connected therewith.

Joseph Sofer (Reg. No. 34,438)

Robert M. Haroun (Reg. No. 34,345)

Thomas C. Hughes (Reg. No. 42,674)

David I. Greenbaum (Reg. No. 46,739)

Please address all telephone calls and correspondence to:

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Facsimile: (212) 697-3004

PETITION

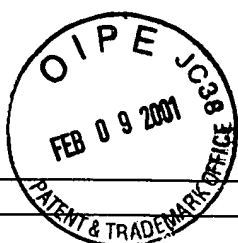
Wherefore, I pray that Letters Patent be granted to me for the invention or discovery described and claimed in the above-mentioned specification and claims, and I hereby subscribe my name to the foregoing Declaration, Power of Attorney & Petition with references to the above-identified specification and claims.

SIGNATURES

Name of sole inventor: Danny H. Kuighadush
Home Address: 139-50 Pershing Cresent, Briarwood, NY 11435
Post Office Address: Same as above
Citizenship: US

Inventor's Signature: Kuighadush, H.D Date: 2/6/2001

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Applicant or Patentee: Kuighadush
Attorney's Docket No.: 845-002
Serial or Patent No.: 09/669,245
Filed or Issued: September 25, 2000
Title: RETRACTABLE STRAW FOR DRINKING CONTAINERS

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY
STATUS (37 CFR 1.9(f) and 1.27(b)) - INDEPENDENT INVENTOR**

As an above named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled

RETRACTABLE STRAW FOR DRINKING CONTAINERS,
described in

☐ the specification filed herewith
☒ application serial no. 09/669,245 filed September 25, 2000
☐ patent no. _____, issued _____

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

☒ no such person, concern, or organization
☐ persons, concerns or organizations listed below*

*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

FULL NAME _____
ADDRESS _____
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

FULL NAME _____
ADDRESS _____
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

FULL NAME _____
ADDRESS _____
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME: Danny H. Kuighadush

ADDRESS: 139-50 Pershing Cresent, Briarwood, NY 11435

SIGNATURE

Kuighadush H.D.

DATE

2/6/2001